

Message Text

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ACTION EUR-12

INFO OCT-01 IO-13 ISO-00 CIAE-00 DODE-00 PM-05 H-01
INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02
SS-15 USIA-06 AID-05 CEA-01 COME-00 EB-08 FRB-03
STR-05 TRSE-00 LAB-04 SIL-01 OMB-01 ITC-01 MCE-00
ACDA-07 /108 W

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R 231627Z SEP 77
FM AMEMBASSY COPENHAGEN
TO SECSTATE WASHDC 5196
INFO AMEMBASSY BONN
AMEMBASSY BRUSSELS
AMEMBASSY DUBLIN
USMISSION GENEVA
AMEMBASSY THE HAGUE
AMEMBASSY LONDON
AMEMBASSY LUXEMBOURG
AMEMBASSY OSLO
AMEMBASSY PARIS
AMEMBASSY ROME
USMISSION NATO

C O N F I D E N T I A L COPENHAGEN 5717

E.O.: 11652: GDS
TAGS: EEC, ETRD, EIND, MMOL, MASS, NATO, PFOR, DA
SUBJ: EC TARRIFF ON F-16 AND OTHER MILITARY COMPONENTS

REF : BRUSSELS 12285

1. MFA PERMANENT UNDER SECRETARY EIGIL JORGENSEN TOLD THE
AMBASSADOR SEPTEMBER 22 THAT UPON THE REQUEST OF DEFENSE
MINISTER ORLA MOLLER HE HAD JUST INSTRUCTED THE FOREIGN
MINISTRY'S LEGAL AND TARIFF EXPERTS TO EXPLORE IN DEPTH THE
MATTER OF EXEMPTING IMPORTED F-16 COMPONENTS FROM DUTIES.
JORGENSEN GENERALLY EXPLAINED THE CASE ALONG THE LINES OF
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REFTEL BUT CLEARLY INDICATED THAT DENMARK WAS NOT YET RE-
SIGNED TO THE COMMISSION'S POSITION THAT MEMBER STATES CAN-
NOT UNILATERALLY EXEMPT IMPORTED COMPONENTS OF MILITARY PRO-
DUCTS FROM EC TARIFFS. JORGENSEN THOUGHT THAT IF THIS MATTER
WERE TAKEN TO THE EUROPEAN COURT OF JUSTICE, THE COURT WOULD
NOT SUSTAIN THE COMMISSION'S DECISION. HENCE AS FAR AS THE
DANES ARE CONCERNED, THIS MATTER IS NOT CLOSED.

2. THE DANES' DETERMINATION TO PURSUE THE F-16 TARIFF MATTER, AS EVIDENCED IN JORGENSEN'S REMARKS, CONTRASTS MARKEDLY WITH ORLA MOLLER'S RECENT PUBLIC POSTURE ON THE ISSUE. IN TV AND NEWSPAPER STATEMENTS, MOLLER LEFT THE IMPRESSION THAT THE DANES, WHILE SUPPORTING A BELGIAN INITIATIVE AGAINST DUTIES ON F-16 IMPORTS, WERE RELATIVELY UNCONCERNED ABOUT ITS OUTCOME. HE ACCURATELY NOTED THAT DENMARK LONG AGO RECOGNIZED THAT DUTIES MIGHT HAVE TO BE PAID AND THAT THE GOVERNMENT HAD INCLUDED AN EXPENDITURE FOR THIS PURPOSE IN ITS ORIGINAL BUDGET REQUEST FOR THE AIRPLANE. MOLLER WAS QUOTED AS SAYING THAT THE DUTIES COULD NOT BE A SUPRISE TO ANY DANISH POLITICIAN WHO PARTICIPATED IN THE F-16 PURCHASE DECISION OR WHO HAD KNOWLEDGE OF EEC RULES.

3. COMMENT: ORLA MOLLER'S SEEMINGLY CONTRADICTORY BEHAVIOR WITH RESPECT TO F-16 TARIFFS IS EXPLAINED ON THE ONE HAND BY HIS DESIRE TO MUTE THE PUBLIC CRITICISM OF THE F-16 PROGRAM THAT HAS SURFACED REPEATEDLY IN RECENT MONTHS, AND ON THE OTHER, HIS DESIRE TO EXPLORE FULLY THE POSSIBILITY FOR TRIMMING F-16 COSTS THAT TARIFF ELIMINATION WOULD PROVIDE.

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